Toronto Local Appeal Body

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DECISION AND ORDER

Decision Issue Date Monday, December 06, 2021

PROCEEDING COMMENCED UNDER Section 45(12), subsection 45(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant(s): VLADIMIR MILMAN

Applicant(s): RAYMOND LEONG

Property Address/Description: 37 TILLPLAIN RD

Committee of Adjustment File

Number(s): 20 229164 NNY 06 MV

TLAB Case File Number(s): 21 130762 S45 06 TLAB

Hearing date: July 27, 2021

DECISION DELIVERED BY C. KILBY

REGISTERED PARTIES AND PARTICIPANTS

Name	Role	Representative
Raymond Leong	Applicant/Party	Sarah Hahn
Wu-Fang Liang	Owner	
Vladimir Milman	Appellant	
Jonathan Benczkowski	Expert Witness	

INTRODUCTION

Vladimir Milman appeals to the Toronto Local Appeal Body (**TLAB**) from the decision of the Committee of Adjustment granting variances to his neighbour, the Applicant Raymond Leong. Mr. Leong proposes to build a rear addition to his property at 37 Tillplain Road. Mr. Milman, on behalf of himself and his spouse, takes issue with the proposed rear addition, chiefly on the basis that it will block sunlight from his rear

garden and thereby negatively impact his enjoyment of his property. At the Committee of Adjustment proceeding, Mr. Milman was unable to participate until after the decision granting the variances was rendered. He has dedicated time and resources to bringing this Appeal in order that his concerns may be considered.

The TLAB convened a virtual hearing of this Appeal via WebEx on July 27, 2021 (**Hearing**). Sarah Hahn and Jonathan Benczkowski attended on behalf of the Applicant. Mr. Milman attended on behalf of himself and his spouse. The City of Toronto (**City**) did not participate in this Appeal, and no other Participants or Parties attended the Hearing. I advised all present that I had attended the site, walked the neighbourhood and had familiarized myself with the pre-filed evidence but that it is the evidence to be heard at the Hearing that is of importance.

ISSUES

I must determine whether the shadowing of Mr. Milman's rear yard by the proposed addition will constitute an undue adverse impact such that Mr. Leong's application for variances (**Application**) fails to satisfy the test for "minor" set out in section 45(1) of the *Planning Act*. I must also decide whether the proposed variances satisfy the remaining three tests under section 45(1) of the *Planning Act*. The tests are whether the variances:

- maintain the general intent and purpose of the Official Plan;
- maintain the general intent and purpose of the Zoning By-laws;
- are desirable for the appropriate development or use of the land; and
- are minor.

Mr. Milman characterized his opposition as being to the rear yard setback variance. However, the rear yard setback variance sought is for the corner of the addition that is farthest from Mr. Milman's property. Nevertheless, the lot coverage variance and the rear yard setback variance together would facilitate the construction of the proposed addition to 37 Tillplain Road. My role is to examine the impact specifically caused by the variances sought in this case and to determine whether that impact is an undue adverse impact of a planning nature.

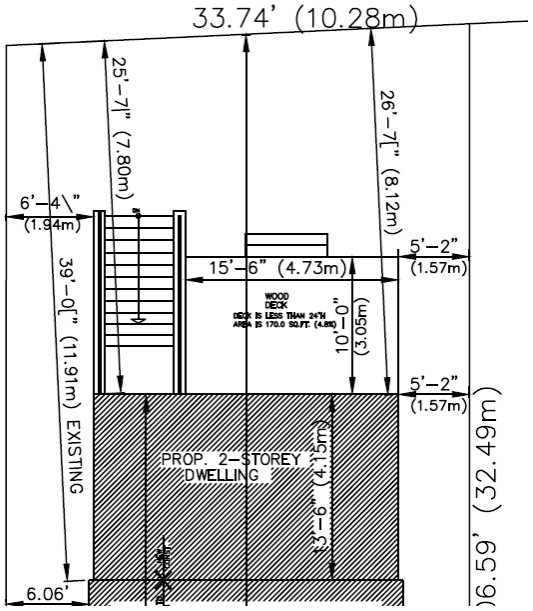
After carefully considering the evidence presented to me by both Mr. Benczkowski and Mr. Milman, I have determined that this Application satisfies the four tests. For the reasons set out below, the requested variances are granted.

BACKGROUND

The Application

The Applicant proposes to build a two-storey addition at the rear of the existing house. Although Mr. Milman had calculated different dimensions for the proposed addition, I rely on the figures set out on the Site Plan drawings included in Exhibit 1.

The shape of the lot at 37 Tillplain Road impacts this Application in that the rear lot line is not completely parallel to the rear exterior wall of the proposed addition. As a result, only one side of the proposed rear addition will extend further than the permitted rear yard setback. An excerpt of the site plan included in Mr. Benczkowski's Expert Report is illustrative:



The proposed design of the addition maintains the existing separation between the house and its eastern neighbour, and is inset from the side walls of the existing house. It does not exceed the height of the existing house. The proposed design meets the standards set by the City's harmonized Zoning By-law No. 569-2013 (**Zoning Bylaw**) for building length, depth, and height. Nevertheless, the proposed addition will increase the proportion of the lot that is covered by a building. The rear western side of the addition will encroach into the rear yard beyond permitted setbacks. As a result, the Applicant seeks two variances from the Zoning Bylaw as follows:

Zoning Bylaw Provision	Requested Variance
Chapter 10.20.30.40.(1)(A) The maximum permitted lot coverage is 30% of the lot area.	The proposed lot coverage is 36.79% of the lot area.

Chapter 10.20.40.70.(2)(A) The minimum required rear yard setback is 8.06m.	The proposed rear yard setback is 7.8m.

During the Hearing, the Applicant's representatives emphasized elements of the design that are more sensitive to neighbouring properties than is strictly necessary. For example, the proposed addition preserves separation between the homes of the Applicant and Mr. Milman, where it would be technically possible for the addition to be built closer to the property line.

EVIDENCE, ANALYSIS AND FINDINGS

I qualified Jonathan Benczkowski to testify on behalf of the Applicant as an Expert Witness in land use planning. Mr. Milman testified on his own behalf and filed evidence in support of his Appeal, including the written statement of his spouse who did not attend the Hearing. The following evidence was marked as Exhibits for this Appeal:

Exhibit 1: J. Benczkowski Expert Report

Exhibit 2: Applicant Disclosure

Exhibit 3: Appellant Disclosure and Notice of Appeal

Exhibit 4: Six Photos taken by V. Milman

Exhibit 5: Statement of V. Milman

Exhibit 6: Site Plan Marked by J. Benczkowski during the Hearing

Exhibit 7: Reply of Appellant

Policy

Under section 3 of the *Planning Act*, the TLAB is required to make decisions that are consistent with the 2020 Provincial Policy Statement (**PPS**) and conform to the Growth Plan for the Greater Golden Horseshoe (**Growth Plan**). These are high-level policy documents which have minimal direct application to this case. Nevertheless, the PPS and Growth Plan discuss intensification in existing built-up areas such as the neighbourhood in this case, and favour development in transit-served areas. As the Application proposes to increase the amount of living space in a built up area, I find that this Application is consistent with the PPS and conforms to the Growth Plan. In any event, I do not find the Application to be contradictory of these policy documents.

The Four Tests

1. **Do the Variances Maintain the General Intent and Purpose of the Official Plan?**

The property is located in an area designated as Neighbourhoods by the City Official Plan (**Plan**). Neighbourhoods are considered to be stable but not static. Change requiring a variance from the Zoning Bylaw, such as the addition proposed in this case, can be permitted if it maintains the general intent and purpose of the Plan.

The Plan requires development in established Neighbourhoods to respect and reinforce the existing physical character of the neighbourhood in question. Policy 4.1.5 of the Plan lists several development criteria to consider when assessing that physical character. Of those physical characteristics listed in Policy 4.1.5 of the Plan, I am satisfied that only 4.1.5(c), (d) and (g) are relevant to this Application. Though other Plan policies were raised during the Hearing, my analysis is largely focused on Policy 4.1.5.

Study Area

As the Plan requires, Mr. Benczkowski identified a neighbourhood study area for the purposes of assessing physical character. He described the neighbourhood as comprising a mix of housing types and forms. Housing stock in the area is undergoing regeneration, predominantly in the form of new homes rather than additions. There has been little development on Tillplain Road in particular, but change is occurring in the broader neighbourhood, which I find to be relevant to its character. In a neighbourhood where there is a variety of physical characteristics and ongoing renewal, there are more ways to respect and reinforce the existing physical character.

Mr. Milman was more focused on Tillplain Road as the relevant study area, deeming other streets in the broader neighbourhood as too distant to be germane. I agree with Mr. Milman that Tillplain Road has a particular character in relation to rear yard setbacks, which I address below. However, the Plan describes the physical character of a neighbourhood as including both the broader context, the entire geographic area in proximity to the proposed development, and the immediate context, properties that face the same street as the proposed development in the same block and the block opposite. Where the two contexts differ, as for the rear yard setback variance, I can focus on the immediate context. With regard to general physical character, however, I find I must assess not only the immediate context but also the broader context in which 37 Tillplain Road is situated. Accordingly, I accept Mr. Benczkowski's neighbourhood study area as appropriate under the Plan.

Does the Application Respect and Reinforce the Existing Physical Character of the Neighbourhood?

To discern whether or not the Application meets the general intent and purpose of the Plan, I must decide if it respects and reinforces the existing physical character of the neighbourhood. The requirement is for the proposed development to be materially consistent with, but not necessarily identical to, the prevailing physical character in the neighbourhood. On the record before me, there appear to be few examples of similar rear additions in the neighbourhood, although the Applicant provided evidence that the neighbourhood incorporates a variety of built forms, including newer housing, which suggests that change is already part of the broader neighbourhood context.

There is evidence of similar variances to those sought in this Application having been granted in the neighbourhood. Evidence of prior variance approvals supplied by Mr. Benczkowski shows that in the past 10 years, there have been 13 permissions granted in the neighbourhood for an increase in lot coverage, only one of which related to an addition as opposed to a new home. The range of lot coverage variances granted is 31.5% to 45%, and of the 13 examples presented, six have greater lot coverage than what is proposed in this case. Therefore, I find that the increase in lot coverage proposed by the Application is within the range represented in the neighbourhood and "fits" the existing physical character of the neighbourhood.

Policy 4.1.5(c) of the Plan directs me to consider the prevailing heights, massing, scale, density and dwelling type of nearby residential properties. The proposed addition will not alter the height or dwelling type of the existing house, and does not impact the streetscape at the front of the house. I agree with the Applicant that the proposed addition will increase the house's density and overall size, but not in a dramatic way given the size of the proposed addition. Since it is at the rear of the house, the proposed addition will not change the front massing or impact the streetscape on Tillplain Road.

In the broader neighbourhood, there have been new developments requiring variances for side yard setbacks, building length, and building height. This suggests that new development of an increased size is a characteristic of the neighbourhood. Tillplain Road has experienced less new development to date. As the main impact of the proposed addition will be at the rear of the house, however, I am satisfied that the proposed addition will not disrupt the prevailing massing, scale and density of nearby residential properties.

Policy 4.1.5(d) directs me to consider the prevailing building type in this neighbourhood. The neighbourhood features a mix of building types. The house at 37 Tillplain Road is a two-storey detached house with an attached garage that is connected to the neighbouring garage. The Application will not change that. Therefore, I find that the prevailing building type is respected and reinforced by this Application.

Rear Yard Setbacks

Finally, Policy 4.1.5(g) identifies the prevailing patterns of rear and side yard setbacks and landscaped open space as a factor to evaluate when examining a neighbourhood's existing physical character. Policy 2.3.1 also specifically identifies open space patterns as a feature of Neighbourhoods that development should respect and reinforce.

The unique curve of Tillplain Road impacts the shapes of the lots and the relationships between dwellings as measured through setbacks in its immediate area. This creates a departure from the broader neighbourhood in terms of rear yard setbacks, warranting a closer examination of the more immediate context surrounding 37 Tillplain Road. Aerial photographs and a rough dwelling footprint map provide further information.

Mr. Milman has lived in this area for two decades. He said that the homes on Tillplain Road are intentionally aligned at the rear in order to preserve open space and

sunlight for each rear yard. He described this feature as embodying a principle of fairness and mutual respect in the layout of the homes on this street, and representing an intentional open space pattern. Any regeneration of housing, he argued, must respect this characteristic in order to comply with the Plan. He said that the proposed addition will block a significant portion of the existing open space and therefore is contrary to the character of the neighbourhood and will destabilize the neighbourhood by setting a precedent.

In this case, only one side of the proposed addition requires a rear yard setback variance: the western corner. The impact of this variance will be most felt by the western neighbour to 37 Tillplain Road, although the addition in and of itself will reduce the outdoor space at the rear of 37 Tillplain Road. The question is whether or not this reduction is such a departure from the physical character of the neighbourhood as to flout the general purpose and intent of the Plan.

The dwelling footprint map at Tab 8 of Mr. Benczkowski's Expert Report shows an aerial view of 37 Tillplain Road and the neighbouring lots beside and behind that property. The curve of Tillplain Road has created non-perpendicular lot lines in that vicinity. This suggests that irregular rear yard setbacks of varying sizes are a characteristic of this context. In the broader neighbourhood, there is some precedent for the reduction of rear yard setbacks, as illustrated by the chart supplied in Mr. Benczkowski's Expert Report. Of the examples provided, two addresses received variances for rear yard setbacks. Altogether, there is no single rear yard setback distance, or prevailing rear yard setback, to which this Application must conform. Therefore a variable rear yard setback can be said to be an existing physical characteristic of this neighbourhood.

While there is no single rear yard setback measurement to apply, I must consider whether what is proposed will fit into its context. For this, I look to the evidence supplied by the Applicant. In relation to certain dwellings on the map, Mr. Benczkowski has measured the distance from the closest corner of the dwelling to its rear property line, where that rear property line is not parallel to the rear exterior wall of the dwelling. This is a very specific type of measurement which I accept in this case because the two corners of the proposed addition have different setbacks from the rear property line. On certain properties for which the measurements have been supplied, this distance ranges from 4.31m to 8.2m. The distance from the closest corner of the house behind 37 Tillplain Road to its rear property line is 7.83m, similar to the rear yard setback proposed for the western corner of 37 Tillplain Road (7.8m). Accordingly, I find the proposed rear yard setback variance will create a rear yard setback that is consistent with the physical character of properties within the immediate area of 37 Tillplain Road.

In terms of the other open space considerations listed under Policy 4.1.5(g), the evidence provided does not support Mr. Milman's assertion that there is strict rear alignment of homes on the north side of Tillplain Road. In some cases, neighbouring homes protrude beyond the rear wall of their neighbours or are closer to the rear lot line than their rear wall neighbours to the north. On this basis I find that the open space patterns are varied in the immediate context. I appreciate that the rear addition will project further into the rear yard than what currently exists, and that this will impact the daylight that Mr. Milman's garden receives in the afternoons. However, I am satisfied

that this change does not represent a departure from the varied nature of open space patterns in this area. Further, I find that the design preserves separation between 37 Tillplain Road and its immediate neighbour, including side yard setback requirements. In light of the small size of the proposed variance and its application to only one of the two rear corners of the proposed addition, I find that the Application will not interfere with the prevailing open space patterns generally found in the neighbourhood.

Overall, I find that the Application will fit into its physical context and will respect and reinforce the existing physical characteristics of the neighbourhood. The proposed variances therefore maintain the general intent and purpose of the Plan.

2. Do the Variances Maintain the General Intent and Purpose of the Zoning Bylaw?

Both the lot coverage and the rear yard setback performance standards in the Zoning Bylaw seek to balance the proportion of built up space with amenity space on the property, and to maintain adequate spacing between neighbouring dwellings. I am satisfied that there will be adequate rear amenity space on the property with the proposed addition, as the lot coverage variance is within the range of permissions granted in the neighbourhood and the lot is deep. Moreover, the absence of other size-related variances to the Zoning Bylaw (e.g. height, building length, side yard setbacks) suggests that the proposed addition is of a reasonable size. I am also satisfied that the distance between 37 Tillplain Road and its neighbours to the north, west and east will be maintained at an acceptable level by the proposed addition in light of its stepped-in design and respect for existing side yard setbacks. Access to the rear yard will be preserved by the proposed design. For these reasons, I find that the Application maintains the general intent and purpose of the Zoning Bylaw.

3. Are the Variances Desirable for the Appropriate Development or Use of the Land?

The Application represents the enlargement of the existing house to add space for a growing family. Mr. Benczkowski characterized the proposed addition as incremental rejuvenation of existing housing stock, consistent with the Plan. His view was that this addition will contribute to the stability of the neighbourhood and will not adversely impact its character. He asserted that the design, the size, and the setbacks proposed for the addition are sensitive to adjacent properties and fit the existing character of the neighbourhood. Mr. Milman disagrees and argues that the proposed addition will destabilize the neighbourhood.

By constructing the proposed addition, the Applicant will invest in the property in a way that will not affect the streetscape or introduce a different housing form to the street. I am satisfied that the proposed design seeks to respect the neighbourhood's existing physical character by maintaining the performance standards set by the Zoning Bylaw in terms of height, depth, length, and side yard setbacks. As one of only two rear additions requiring variances in the past 10 years, I am not convinced that this Application will destabilize the neighbourhood. For these reasons, I find that the variances are desirable for the appropriate development of the land.

4. Are the Variances Minor?

This last of the four tests is the key area of disagreement between Mr. Milman and the Applicant. Mr. Milman asserted that the proposed addition will result in a significant adverse impact on his property. Mr. Milman opposes the rear yard setback variance because in his view, if granted, the variance will permit the construction of an addition which will limit the sunlight his garden receives in late March and early April. This is significant to Mr. Milman because, as he explained during the Hearing, the early Spring is a time of year when plants and humans expect increased sunlight after the darkness of winter. Mr. Milman argued that the shadow imposed by the addition will prevent the seeds from growing, destroy the garden and with it, his spouse's chief occupation in retirement.

Mr. Milman presented photographs taken in late March showing the movement of the sun across his garden from morning to late afternoon. He said that an addition extending further back than three metres will completely block the afternoon sun from reaching his garden at this important time of year, creating the type of adverse impact that the four tests seek to prevent. When I asked, Mr. Milman confirmed that other times of year will not see the same degree of shadow impacts on his garden, but reiterated that early Spring is a particularly important time for sunlight patterns to remain unimpeded.

In response to Mr. Milman's opposition, Mr. Benczkowski emphasized that at 0.26m the rear yard setback variance is numerically small and thus minor in a quantitative sense. He also pointed out that the rear yard setback on the east side of the addition, the side adjacent to Mr. Milman's garden, is within the Zoning Bylaw standards and does not require a variance. The variance applies to the western rear corner of the proposed addition and is only required because the rear lot line is angled (see illustration above). In Mr. Benczkowski's view, the addition is modestly sized and will have a minor shadowing impact on neighbouring properties. He said that shadowing is the kind of impact that already exists, and is typical, in urban neighbourhoods like this.

I do not disagree that the proposed addition will have an impact on sunlight in Mr. Milman's rear yard at certain times of day and in certain seasons more than others. What is more complicated is untangling whether or not the impact is related directly to the variances sought in this Application. Mr. Milman argued that an addition that is three metres long would be acceptable to him, but the Applicant's representatives asserted that the Zoning Bylaw would permit an addition of greater length. Altogether, it would appear that the mere presence of any proposed addition would contribute to increased shadow on Mr. Milman's garden. On the evidence before me, it is difficult to ascertain whether the variances sought in this Application are directly responsible for the incremental increase of shadow that Mr. Milman argues is unduly adverse to him.

Does the shadow caused by the proposed addition rise to the level of undue adverse impact? To Mr. Milman, the answer is a clear "yes". However, I must assess this question with reference not only to Mr. Milman's evidence, but also to the planning context and the variances at issue. If increased shadow results from a development, it must be examined but will not necessarily defeat an application for a variance if the impact is not unduly adverse from a planning perspective.

In the context of this urban neighbourhood, where homes are closer together, some shadow is to be expected. While I understand Mr. Milman's position on this issue, in the end, the evidence presented does not support a finding that the shadow impacts caused by the proposed addition are unduly adverse from the perspective of the planning framework in which the TLAB operates.

While neither Mr. Milman nor Mr. Benczkowski prepared a shadow study, nor was one required by the Plan for a development of this scale, the evidence heard suggests that the proposed addition will have the greatest impact on sunlight to Mr. Milman's garden in the early Spring but will not necessarily block the sun in all seasons. Mr. Milman was clear that early Spring is particularly important for gardening, which is an important activity for his spouse, and he expressed the view that this will create an adverse impact. Nevertheless, in this context, where there is building proximity and greater density, I do not find the impact to be unduly adverse. In this case, only two variances are sought, and they are numerically minor. The lot coverage variance is within the range of existing lot coverages in the neighbourhood. Homes are closer together in general in urban settings, and on Tillplain Road in particular, the evidence shows that the homes are not strictly aligned at their front or rear walls. The shadow affecting Mr. Milman will not be directly caused by the rear yard setback variance in this Application. For these reasons, I find the variances to be minor.

Conclusion

The Application represents a proposal to create additional living space in an existing home in an urban neighbourhood. The proposed addition has been designed largely to "fit in" with its existing context given that no variances are sought from the Zoning Bylaw standards for height, building length, building depth, and side yard setbacks. The rear yard setback variance sought is small, and a product of an irregular rear lot line. The lot coverage variance fits within existing permissions in the neighbourhood on a long lot. Although there may be some additional, incremental shadow cast as a result of the proposed addition on its neighbour, I am satisfied that the variances sought are not directly responsible for this impact, which is undesirable for Mr. Milman but unavoidable in an urban setting.

Therefore, given the above, I find that the variances sought, individually and cumulatively, satisfy the four statutory tests in section 45(1) of the *Planning Act*. The Application is approved, the Appeal is dismissed, and the requested variances are granted.

DECISION AND ORDER

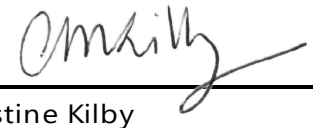
The Appeal is dismissed; the decision of the Committee of Adjustment dated March 11, 2021 is confirmed, and the following variances are approved on condition:

Zoning Bylaw Provision	**Requested Variance**
Chapter 10.20.30.40.(1)(A) The maximum permitted lot coverage is 30% of the lot area.	The proposed lot coverage is 36.79% of the lot area.
Chapter 10.20.40.70.(2)(A) The minimum required rear yard setback is 8.06m.	The proposed rear yard setback is 7.8m.

The approval is subject to the following condition:

1. Construction shall be carried out substantially in accordance with the plans and drawings dated November 2020 which were submitted to the TLAB as part of Exhibit 1 and are appended to this Decision. Any other variances that may appear on these plans that are not listed in this Decision are NOT authorized.

If there are any issues implementing this Decision, the TLAB may be spoken to on notice to all Parties.

X 

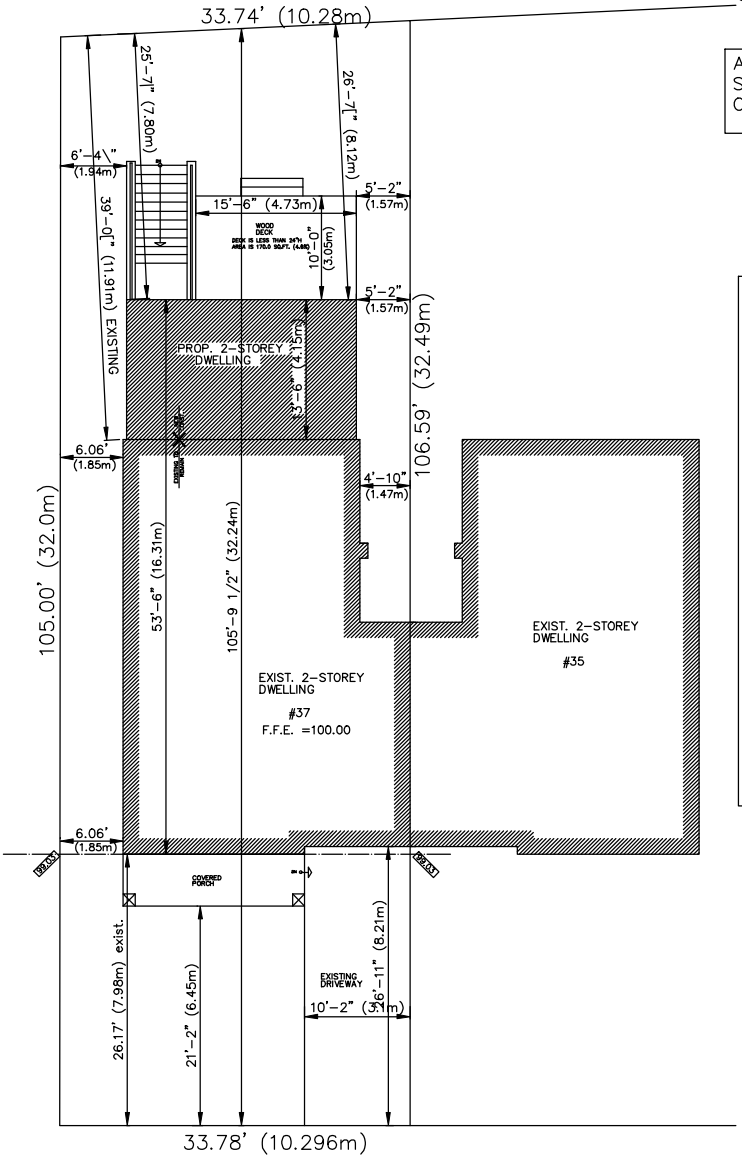
Christine Kilby
Panel Chair, Toronto Local Appeal Body

SCHEDULE A: APPROVED PLANS

– SITE DATA & INFORMATION

SITE PLAN SHOWING PLAN OF SURVEY OF LOT 15 &16 PLAN 7622 TOWNSHIP OF NORTH YORK COUNTY OF YORK

ALL SITE PLAN INFORMATION IS TAKEN FROM SERVEYOR'S HOLDING & BABBS ONTARIO LAND SERVEYORS



TILLPLAIN ROAD

37 TILLPLAIN ROAD

LOT AREA = 331.62 sq.m (3,569.57 sq.ft.

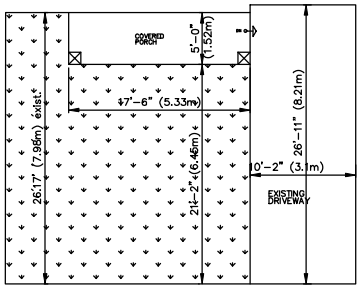
LOT COVERAGE (CALCS) MAX 30%

– DWELLING (incl. GARAGE)	= 1,313.1 sq.ft. (121.99 sq.m)
TOTAL =	1,313.1 sq.ft. (121.99 sq.m)

PROVIDED 36.79%

MAX FLOOR AREA RATIO

– EXISTING FIRST FLOOR (incl. GARAGE)	= 1,026.47 sq.ft.
– EXISTING SECOND FLOOR	= 798.44 sq.ft.
– NEW FIRST FLOOR	= 299.25 sq.ft.
– NEW SECOND FLOOR	= 299.25 sq.ft.
TOTAL =	2,423.41 sq.ft.(225.14 sq.m)



FRONT YARD LANDSCAPING

FRONT YARD AREA	= 82.81 sq.m
FRONT PORCH	= 8.13 sq.m
DRIVEWAY AREA	= 25.44 sq.m.

TOTAL FRONT YARD AREA =49.24 sq.m.

TOTAL SOFT YARD AREA =49.24 sq.m.

DRAWN	
DATE	NOV. 2020
SCALE	1/8" =1'-0"
CHECKED BY:	
SHEET	S.P.
FILE	

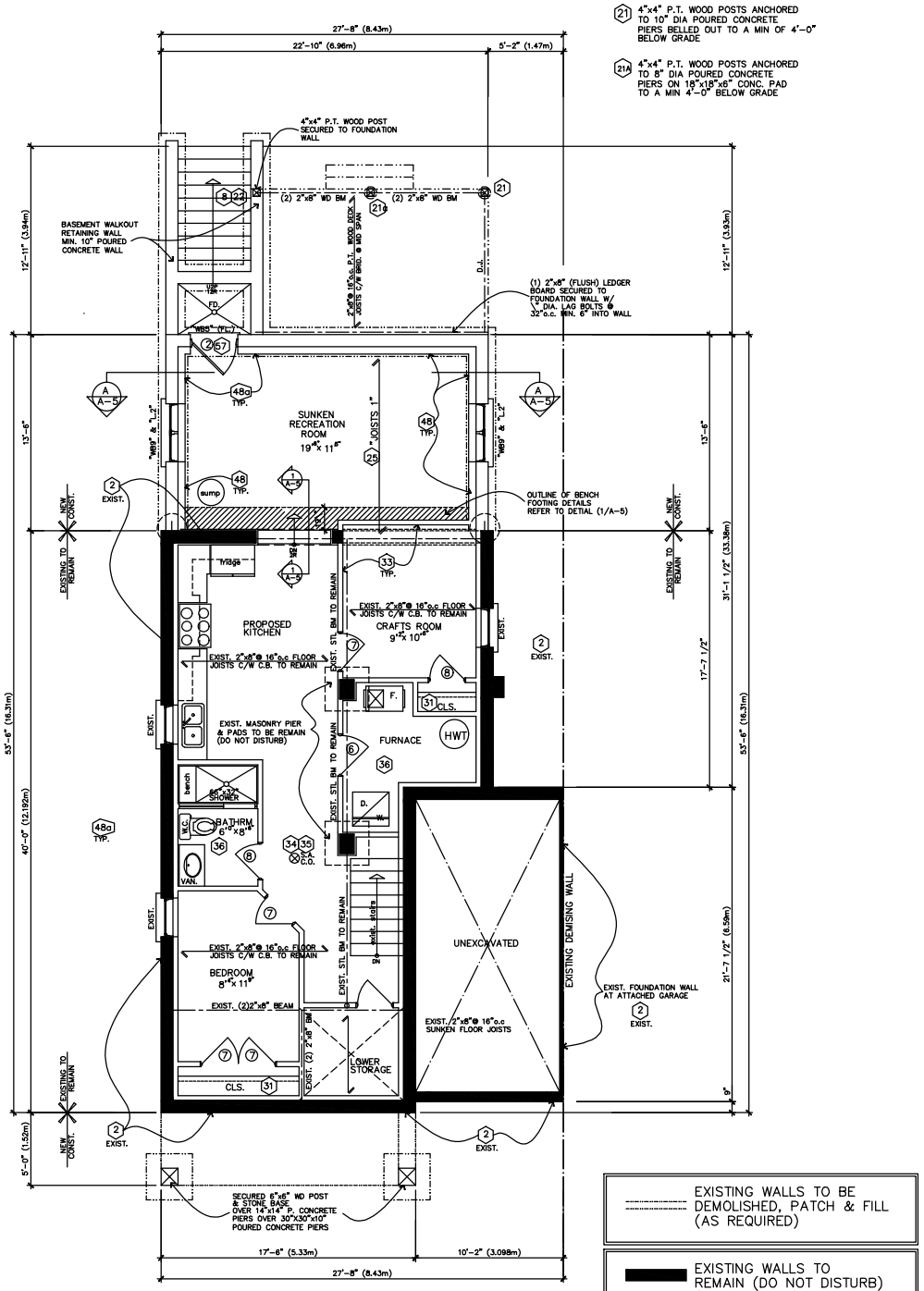
SITE PLAN

37 TILLPLAIN ROAD
TORONTO, ONTARIO

PROPOSED 2- REAR ADDITION
INTERIOR ALTERATIONS &
BASEMENT FINISHING

NO.	REVISIONS	DATE
1	ISSUED FOR ZONING REVIEW (225)	NOV. 19, 2020
2	REVISED DECK SIZE	DEC. 08, 2020
3	ISSUED FOR CLARIFICATION OF SIDE/REAR YARD SETBACK	DEC. 14, 2020
4		MAR. 03, 2021

SEAL



EXISTING/PROPOSED

BASEMENT FLOOR PLAN

PROPOSED 2-REAL ADDITION INTERIOR ALTERATIONS & BASEMENT FINISHING

37 TILLPLAIN ROAD
TORONTO, ONTARIO

BASEMENT FLOOR PLAN

DRAWN:
DATE: NOV. ,2020
CHECKED BY:
SCALE: 3/16" =1'-0"
SHEET: A-1
FILE:

NO.	REVISIONS	DETAIL NO. / SHEET NO.	DATE
1	ISSUED FOR ZONING REVIEW (ZR)		NOV. 19, 2020
2	REVISED DECK SIZE		DEC. 8, 2020
3	ISSUED FOR COMMITTEE OF ADJUSTMENT / MINOR VARIANCE AND REAR YARD SETBACK		DEC. 14, 2020
4			MAR. 03, 2021

37 TILLPLAIN ROAD

LOT AREA = 331.62 sq.m (3,569.57 sq.ft.

LOT COVERAGE (CALCS) MAX 30%

- DWELLING (incl. GARAGE) = 1,313.1 sq.ft. (121.99 sq.m)

TOTAL = 1,313.1 sq.ft. (121.99 sq.m)

PROVIDED 36.79%

MAX FLOOR AREA RATIO

- EXISTING FIRST FLOOR (incl. GARAGE) = 1,026.47 sq.ft.
- EXISTING SECOND FLOOR = 798.44 sq.ft.
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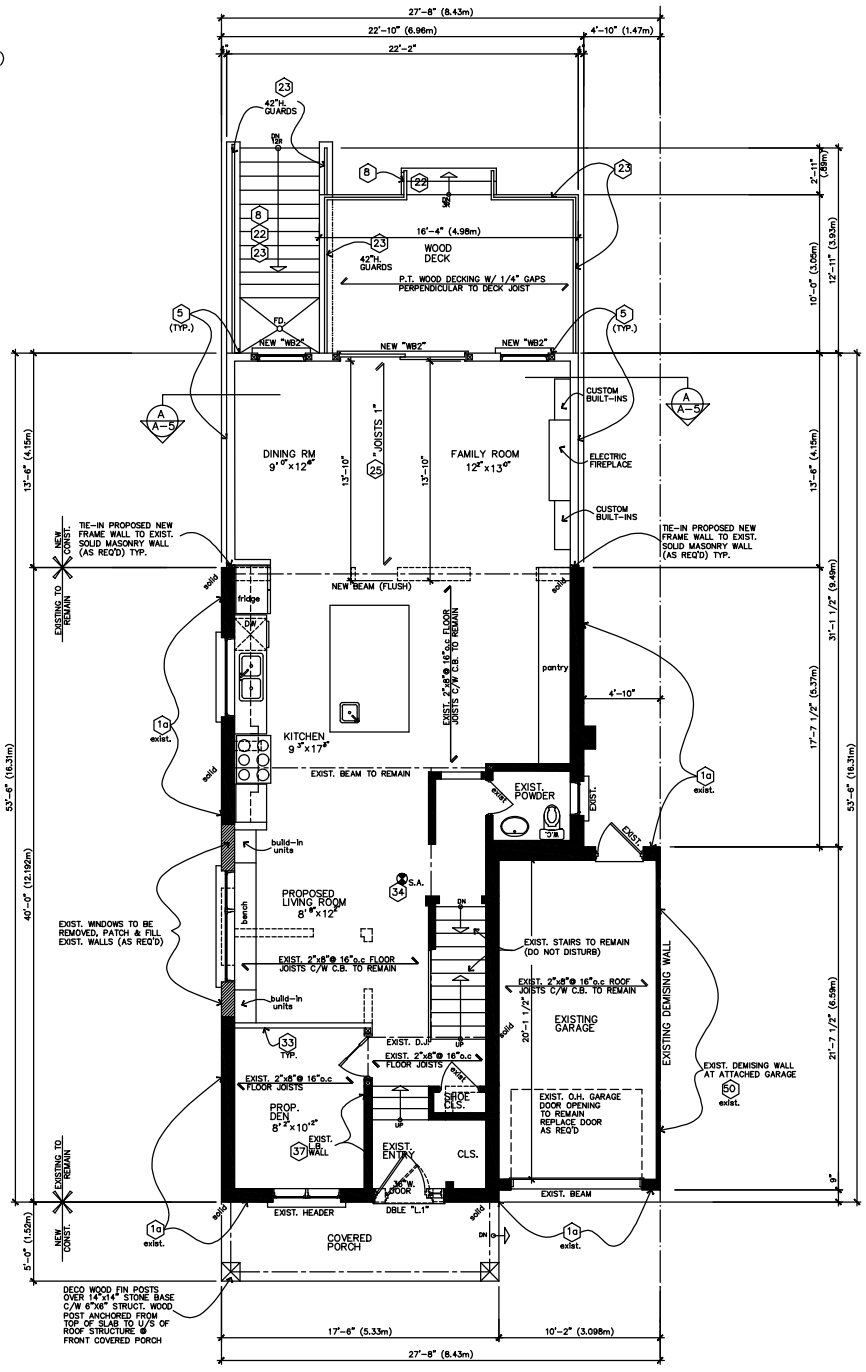
TOTAL = 2,423.41 sq.ft.(225.14 sq.m)



EXISTING/ PROPOSED
FIRST FLOOR PLAN

EXISTING WALLS TO BE DEMOLISHED, PATCH & FILL (AS REQUIRED)

EXISTING WALLS TO REMAIN (DO NOT DISTURB) (AS REQUIRED)

NEW WALLS (AS REQ'D) REFER TO CONSTRUCTION NOTES 33 37 AS INDICATED

DRAWN	
CHECKED BY:	
DATE	NOV. ,2020
SCALE	3/16" =1'-0"
SHEET	A-2
FILE	

FIRST FLOOR PLAN

PROPOSED 2- REAR ADDITION INTERIOR ALTERATIONS & BASEMENT FINISHING

37 TILLPLAIN ROAD
TORONTO, ONTARIO

NO.	REVISIONS	DATE
1	ISSUED FOR ZONING REVIEW (ZZC)	NOV. 19, 2020
2	REVISED DECK SIZE	DEC. 8, 2020
3	ISSUED FOR COMMITTEE OF ADJUSTMENT APPROVAL	DEC. 14, 2020
4	REDUCED LOT COVERAGE AND REAR YARD SETBACK	MAR. 03, 2021

BCIN
REGISTRATION INFORMATION

EXISTING WALLS TO BE DEMOLISHED, PATCH & FILL (AS REQUIRED)

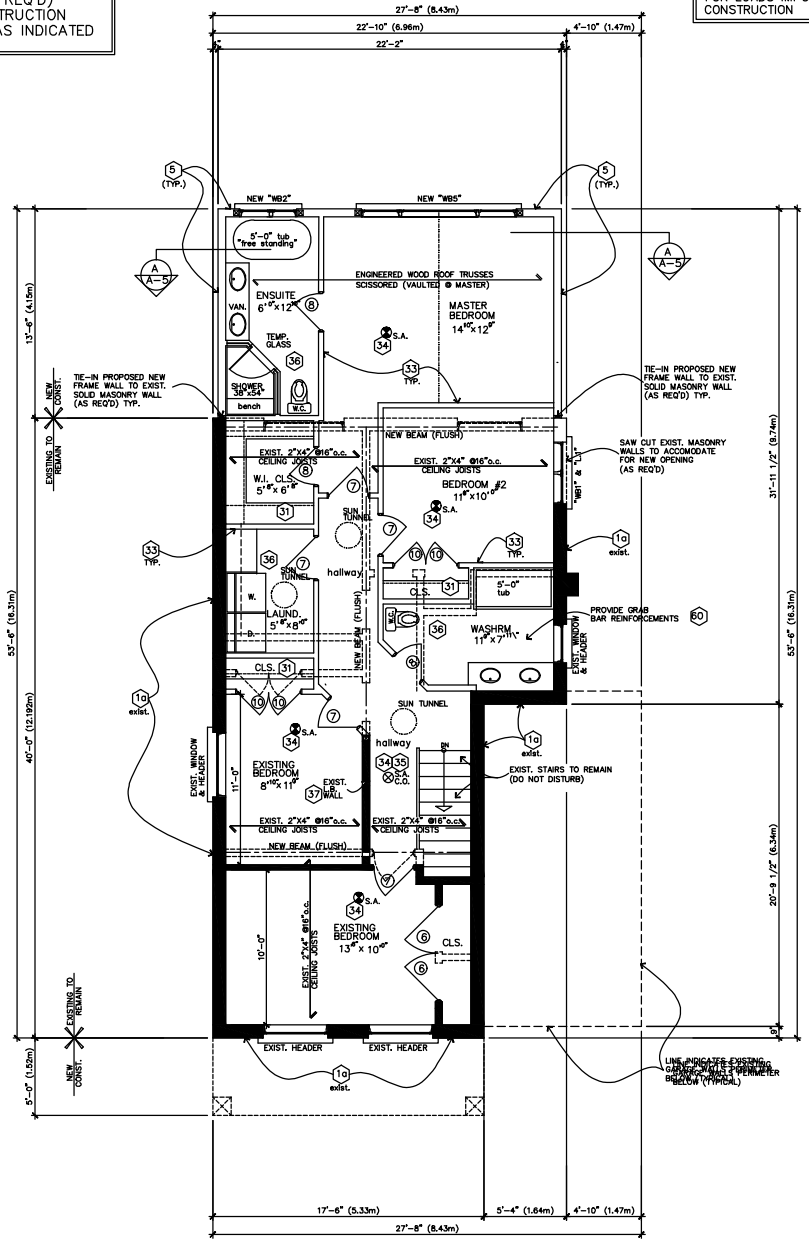
EXISTING WALLS TO REMAIN (DO NOT DISTURB) (AS REQUIRED)

NEW WALLS (AS REQ'D) REFER TO CONSTRUCTION NOTES (33)(37) AS INDICATED

SB-12 REQUIREMENTS TABLE 3.1.1.11

STRUCTURAL ADEQUACY NOTES

VERIFY/REINFORCE EXIST. SUPPORT SYSTEM, INCLUDING FOUNDATIONS FOR LOADS IMPOSED BY THE PROP. CONSTRUCTION



EXISTING/ PROPOSED
SECOND FLOOR PLAN

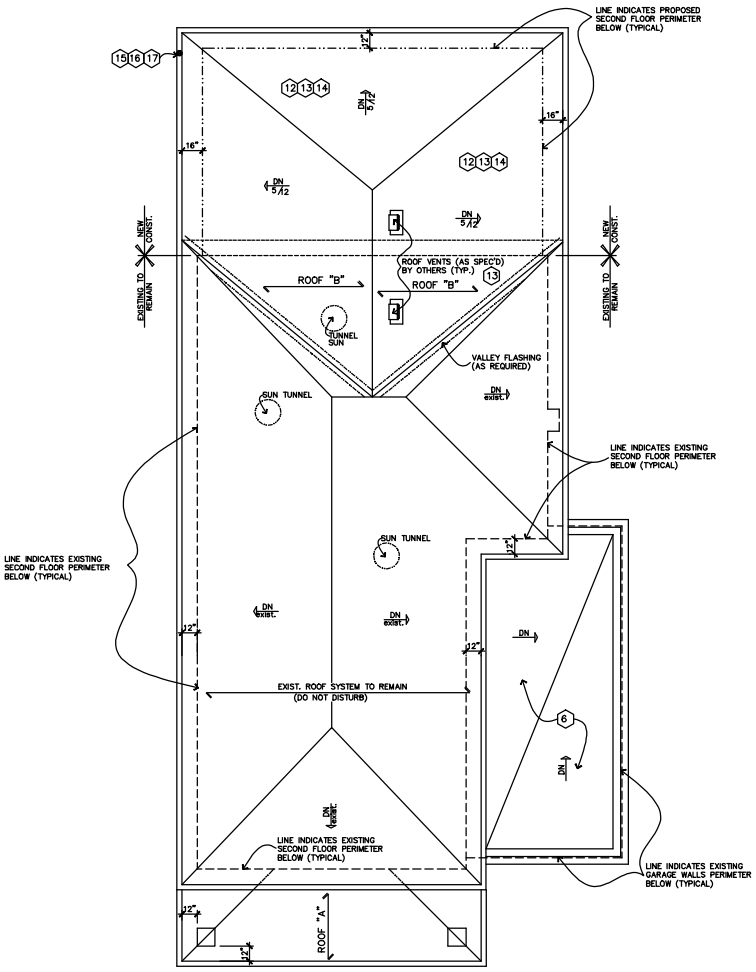
NO.	REVISIONS	DATE
1	ISSUED FOR ZONING REVIEW (2nd)	NOV. 19, 2020
2	REVISED DECK SIZE	DEC. 8, 2020
3	ISSUED FOR PROPERTY STANDARDS APPLICATION APPROVAL	DEC. 14, 2020
4	REVISED LOT COVERAGE AND REAR YARD SETBACK	MAR. 03, 2021

PROPOSED 2-STOREY REAR ADDITION WITH INTERIOR ALTERATIONS & BASEMENT FINISHING

37 TILLPLAIN ROAD
TORONTO, ONTARIO

SECOND FLOOR PLAN

DATE	DRAWN
NOV. 2020	
SCALE	CHECKED BY:
3/16" =1'-0"	
FILE	SHEET
	A-3



EXISTING /PROPOSED
ROOF PLAN

NOTE: –
NEW ROOF OVERHANGE TO MATCH EXISTING OVERHANG PROJECTION & HEIGHT.

NEW ROOF TO MATCH EXISTING ROOF HEIGHT

ROOF "A"
HAND CUT BUILT UP 2"x6" @16"o.c. RAFTERS, W/ 2"x8" HIPS, 2"x8" VALLEY/NAILER C/W MIN. 5/16" PLYWOOD W/ H-CLIPS OR 11/16" LUMBER C/W 2"X6"@ 16"o.c. COLLAR TIES (1/3 DOWN) C/W 2"X6" RIBBON BOARD @ MIDSPAN

ROOF "B"
HAND CUT BUILT UP 2"x6" @16"o.c. RAFTERS, W/ 2"x8" HIPS, 2"x8" VALLEY/NAILER C/W MIN. 5/16" PLYWOOD W/ H-CLIPS OR 11/16" LUMBER SCABBED ON MAIN ROOF FRAME

NOTE: THE WIDTH OF A WOOD COLUMN, SHALL BE NOT LESS THAN THE WIDTH OF THE SUPPORTING MEMBER (BEAM)

NOTE: EXTEND END BEARING (POSTS) TO SOLID STRUCTURE BELOW, PROVIDE BLOCKING AS REQUIRED

NOTE: GENERAL CONTRACTOR TO REPORT ANY DISCREPENCIES TO DESIGNER PRIOR TO COMMENCING OF WORK
DO NOT SCALE PLANS

NOTE: SHORE UP EXISTING STRUCTURES PRIOR TO REMOVAL OF ANY EXISTING WALLS (AS REQ'D) TYP. ALL FLOORS

LEGEND :–

STEEL LINTELS:– MIN 6" END BEARING FOR LINTELS

L1 – 3\"x3\"x5/16" (6'–0" MAX SPAN) (4" BRG.)
L2 – 5"x3\"x5/16" (8'–0" MAX SPAN) (6" BRG.)
L3 – 6"x4"x¼" (10'–0" MAX SPAN) (6" BRG.)
L4 – 7"x4"x\" (12'–0" MAX SPAN) (8" BRG.)
L5 – 8"x4"x⅜" (14'–0" MAX SPAN) (10" BRG.)
L6 – 9"x4"x⅜" (16'–0" MAX SPAN) (12" BRG.)

WOOD LINTELS:– PROVIDE MIN 3\" END BEARING

WB1 = 2/2"x8" SPRUCE NO. 2
WB2 = 2/2"x10" SPRUCE NO. 2
WB3 = 2/2"x12" SPRUCE NO. 2
WB4 = 3/2"x8" SPRUCE NO.2
WB5 = 3/2"X10" SPRUCE NO.2
WB6 = 3/2"x12" SPRUCE NO.2
WB7 = 4/2"x10" SPRUCE NO.2
WB8 = 4/2"x12" SPRUCE NO. 2
WB9 = 2–1[" x7|" LVL
WB10= 3–1[" x 7|" L.V.L
WB11 = 2–1[" x 9\" L.V.L
WB12= 3–1[" x 9\ L.V.L
WB13= 2–1[" x 11|" L.V.L
WB14= 3–1[" x 11|" L.V.L
WB15= 4–1[" x 11|" L.V.L
WB16= 1[" x 14" L.V.L (1[" WIDTH)
WB17= 2– 1[" x 14" L.V.L (3\" WIDTH)
WB18= 3– 1[" x 14" L.V.L (5|" WIDTH)
WB19= 4–1[" x 14" L.V.L (7" WIDTH)
WB20= DOUBLE RIM BOARD (FLUSH)
ALL L.V.L OR PSL SHALL BE 2665 F–2E MINIMUM

"JOISTS 1" = MIN. (2) 2"X8" @ 16" o.c. FLOOR JOISTS SYSTEM C/W BLOCKING AT MID SPAN 5/8" SHEATHING GLUED & NAILED TO FLOOR JOISTS REFER TO FLOOR PLAN FOR PLYWOOD THICKNESS PLUS \" THICK GYPSUM BOARD CEILING DIRECTLY APPLIED TO BOTTOM FLANGE LIVE: 40 PSF DEAD 15 PSF

"W.T." = PREFABRICATED, PRE–ENG. APPROVED WOOD ROOF TRUSSES @ 24"o.c. "BY OTHERS"

"P.L.A" = STRUCTURAL POINT LOAD FROM ABOVE CARRY DOWN TO SOLID BEARING

"P.1" = (3) 2"X6" WOOD POSTS

"P.2" = (3) 2"x4" WOOD POST

"P.3" = 3\"DIA STEEL COLUMN x3/16" THICK OR 4"x4"x¼" HSS STEEL COLUMNS C/W 6"x6"x\" TOP & BOTTOM PLATES

"C.J." = 2"x6" @ 16"O.C. CEILING JOISTS SYSTEM

"R.P.C.A" = REINFORCED PRE–CAST ARCH

ENERGY EFFICIENCY DESIGN SUMMARY

A. PROJECT INFORMATION

Building number, street name		Units:	Lot/Concession
37 TILLPLAIN ROAD		–	
Municipality	Postal code	Reg. Plan number/Other description:	
TORONTO			

B. COMPLIANCE OPTION

☑ SB–12 Prescriptive *(SB–12 –2.1.1)	Table 3.1.1.11
☐ SB–12 Performance*(SB–12 –2.1.2)	*Attach energy performance calculations using an approved software
☐ Energy Star ® +	*Attach EOP form. Houses must be labeled on completion by Energy Sta
☐ EnergyGUIDE 80 ® +	*House must be evaluated by NRCan advisor and meet a rating of 80

C. PROJECT DESIGN CONDITIONS

Climatic Zone (SB–1)	Heating Equip. Efficiency	Space Heating Fuel Source
☑ Zone 1 (< 5000 degree days)	☑≥92% AFUE	☑ Gas ☐ Propane ☐ Solid Fuel
☐ Zone 2 (≥ 5000 degree days)	☐≥84% < 92% AFUE	☐ Oil ☐ Electric ☐ Earth Energy

Windows+Skylights+Glass Doors		Other Building Conditions
Gross Wall Area = 375.40 sq.m	% Windows : 12.04%	☐ ICF Basement ☑ Walkout Basement ☐ Log House
Gross Window Areas= 33.16sq.m		☐ ICF Above Grade ☐ Slab–on–ground

D. BUILDING SPECIFICATIONS

Building Component	R values		Building Component	Eff. Rating
Thermal insulation	Nominal	Effective	Windows & Doors provide U–value or Eff. Rating	
Ceiling with Attic Space	R–60	59.32	Windows/Sliding Glass Doors	upgrade to 0.28
Ceiling without Attic Space	R–31	27.65	Skylights	0.49
Exposed Floors	R–31	29.80	Mechanicals	
Walls Above Grade	19+R5ci	17.03	Heating equipment (AFUE)	96%
Basement Walls	R–20ci	21.12	HRV Efficiency (SRE/NR 0°C)	75%
Slab (at >600mm below grade)	-----	-----	DHW Heater (EF)	0.80
Slab (edge only@600mm below grade)	R–10	-----	DWHR (CSA B55.1/MN42% efficiency)	42% ☑showers ☑
Slab (at ≤600mm below grade,or heated)	R–10	11.13	COMBINED HEATING SYSTEM	-----

NOTES
1.Provide U–Value in W/m²°c or Btu(h.sqft)F) but not both
2.Provide AFUE or Building # considering type combined system used
3.In the case of basement wall assemble, where R20 ci is replaced R12 + 12 ci is permitted to be used or the wrong or where R12 + 5 ci is replied, R5 ci is permitted to be used or the same.

E. PERFORMANCE DESIGN VERIFICATION
(applicable only for SB–12 performance, Energy Star or EnerGuide80)

SB–12 Performance:
The annual energy consumption using Subsection 2.1.1. SB–12 Package_____ is_____GJ (
The annual energy consumption of the proposed house is_____GJ)
The software used to simulate the annual energy use of the building_____
The building is being designed using an air leakage of_____@Y changes per hour @ 50Pa

Energy Star: EOP form attached. The houses will be labeled on completion by:

Energy Star and EnerGuide80:
Evaluator/Advisor/Rater Name: N/A
Evaluator/Advisor/Rater License: N/A

F. DECLARATION

Name:	Signature:	Date:

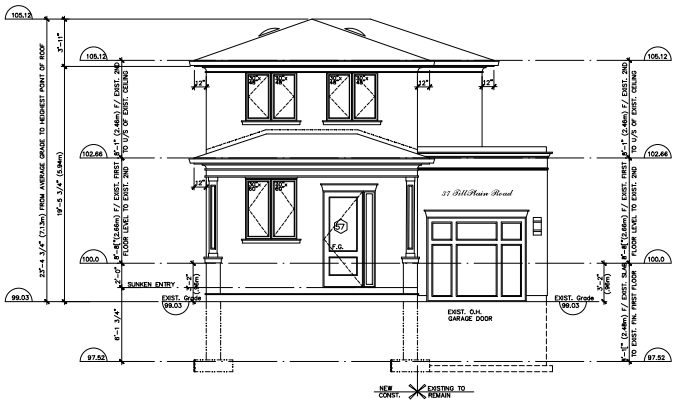
NO.	REVISIONS	DATE
1	REVISED PLAN REVIEW (ZZO) ZONING	NOV. 19, 2020
2	REVISED DESIGN SIZE	DEC. 9, 2020
3	ISSUED FOR COMMITTEE OF ADJUSTMENT APPROVAL	DEC. 14, 2020
4	REVISED LOT COVERAGE AND REAR YARD SETBACK	MAR. 03, 2021

PROPOSED 2– REAR ADDITION INTERIOR ALTERATIONS & BASEMENT FINISHING

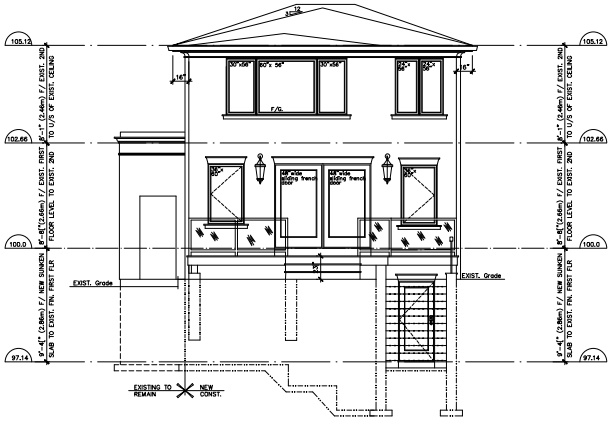
37 TILLPLAIN ROAD
TORONTO, ONTARIO

ROOF PLAN

DRAWN
DATE: NOV. 2020
CHECKED BY:
SCALE: 3/16" = 1'–0"
SHEET: A–4
FILE:



FRONT ELEVATION



REAR ELEVATION

REVISIONS

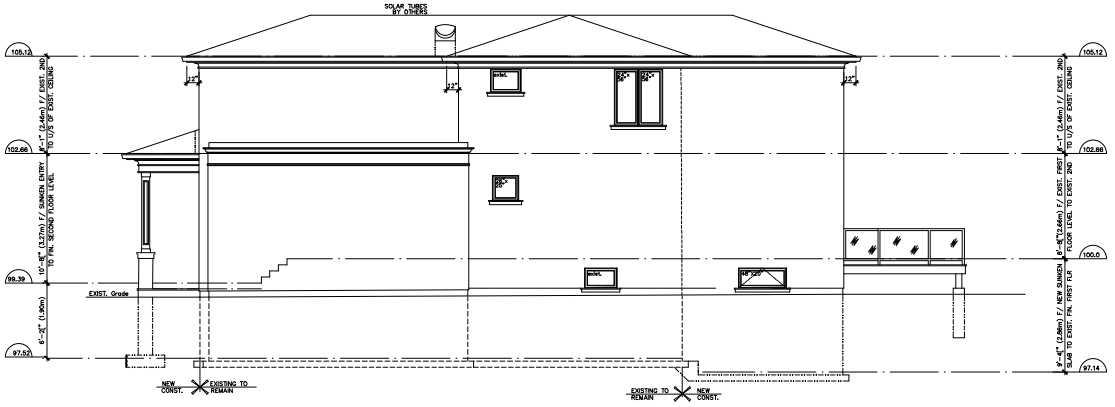
NO.		DATE
1	ISSUED FOR ZONING REVIEW (ZZO)	NOV. 19, 2020
2	REVISED DECK SIZE	DEC. 8, 2020
3	ISSUED FOR COMMITTEE OF ADJUSTMENT APPROVAL	DEC. 14, 2020

PROPOSED 2- REAR ADDITION
INTERIOR ALTERATIONS &
BASEMENT FINISHING

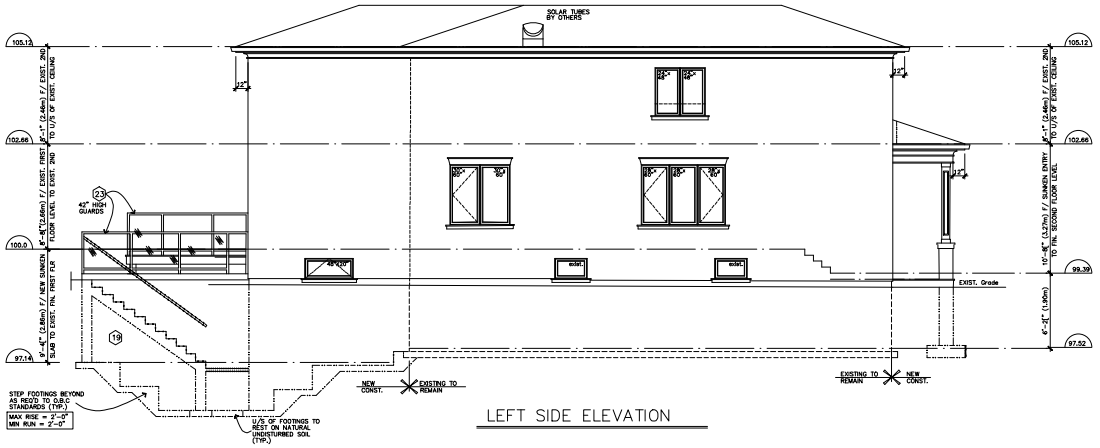
37 TILLPLAIN ROAD
TORONTO, ONTARIO

FRONT & REAR
ELEVATIONS

DRAWN	CHECKED BY:	SHEET
		A-6
DATE	SCALE	FILE
NOV. ,2020	3/16" =1'-0"	



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

REVISIONS

NO.			DAT
1	ISSUED FOR ZONING REVIEW (ZRC)	NOV. 19, 2020	
2	REVISED DECK SIZE	DEC. 5, 2020	
3	ISSUED FOR COMMITTEE OF ADJUSTMENT APPROVAL	DEC. 14, 2020	

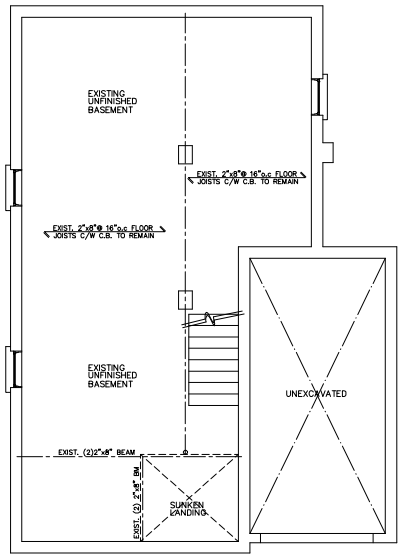
PROPOSED 2– REAR ADDITION INTERIOR ALTERATIONS & BASEMENT FINISHING

37 TILLPLAIN ROAD

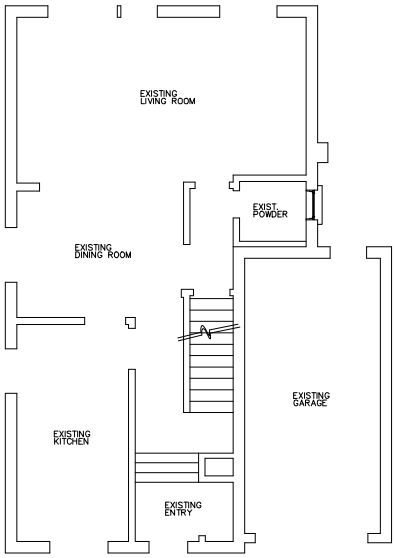
TORONTO, ONTARIO

LEFT & RIGHT SIDE ELEVATIONS

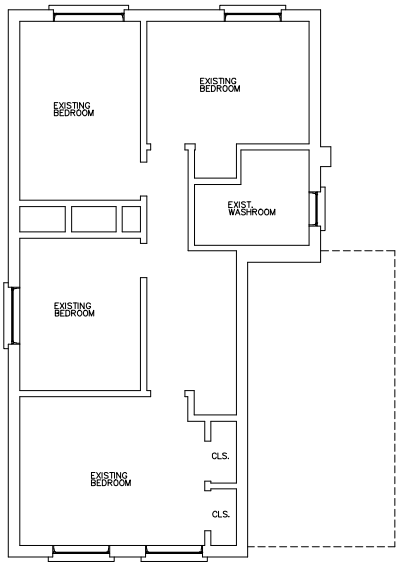
DRAWN	CHECKED BY:	SHEET
		A–7
DATE	SCALE	FILE
NOV. ,2020	3/16" =1'–0"	



EXISTING FIRST
FLOOR PLAN



EXISTING FIRST
FLOOR PLAN



EXISTING FIRST
FLOOR PLAN